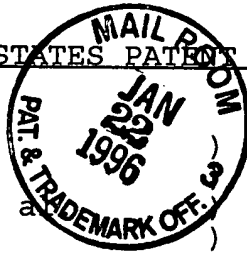


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants:

Sherrol H. McDonough et al

Serial No. 08/480,472

Filed: June 6, 1995

For: NUCLEIC ACID SEQUENCE
AMPLIFICATION

Group Art Unit: 1807

Examiner:

Los Angeles, California

STATEMENT UNDER 37 C.F.R. § 1.821 (F)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821 (e), (f) and (g), or § 1.825 (d) and (b) respectively, are the same.

Respectfully submitted,

LYON & LYON

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(611) 552-8400

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

January 16, 1996
date of deposit

Mary Ann Reed
name of person mailing paper
Mary Ann Reed
signature of person mailing paper



Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

08/480,472 06/06/95 MCDONOUGH

18N1/1215

RICHARD J WARBURG
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LOS ANGELES CA 90071

EXAMINER	
S	213/066
ART UNIT	PAPER NUMBER
18N1/1215	4

DATE MAILED:

1807

12/15/95

Please find below a communication from the EXAMINER in charge of this application.

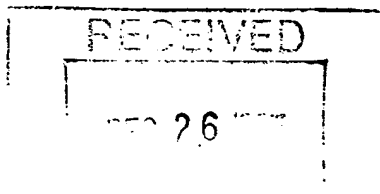
Commissioner of Patents.

DNA Seq Req due January 15, 1996 *AK*
KC

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. 1.821-25 for the reasons set forth on the attached Notice to Comply With Requirements For Patent Applications Containing Nucleotide And/Or Amino Acid Sequence Disclosures.

Any inquiry concerning this communication should be directed to examiner Kenneth Horlick whose telephone number is (703) 308-3905. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. 1.821-25. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.



RECEIVED

DEC 21 1995

U.S. PROSECUTION

KENNETH R. HORLICK
PATENT EXAMINER
GROUP 1800

Kenneth R. Horlick 12/1/95

1-PATENT APPLICATION FILE CC

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

☒ 7. *The first 3rd sequences in claims 39-42 are not present in the paper copy of the SEQUENCE LISTING.*
Other:
Applicant must provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.